

RICHARD J. MA, ESQ.

20 Vesey Street, Suite 400
New York, New York 10007
Tel. (212) 431-6938
Fax. (212) 964-2926
E-mail: richardmaesq@yahoo.com

October 22, 2020

Via ECF and E-Mail

Honorable Paul A. Engelmayer
United States District Judge
United States District Court
Southern District of New York
40 Foley Square
Brooklyn, NY 10007

Re: *United States v. Reynaldo Cuevas*
15 Cr. 210 (PAE)

Dear Judge Engelmayer:

As Your Honor is aware, I represent Mr. Reynaldo Cuevas in the above-referenced matter. As per the Court's instructions, this correspondence is submitted to advise the Court that: (i) at the next scheduled appearance on October 29, 2020, Mr. Cuevas intends to plead guilty to violating the terms and conditions of the Supervised Release portion of his previously imposed sentence; and (ii) Mr. Cuevas requests that the matter be conducted by video teleconferencing or telephone conferencing if video teleconferencing is not available.

In light of the ongoing health crisis, we believe that an in-person proceeding poses an unnecessary risk to the health and safety of not only the parties, but court staff as well. We are experiencing a resurgence of infections in the New York City area and minimization of contact with others in close confines is in the best interests of public safety. We therefore believe that the Court can, consistent with the United States Constitution and Federal Rules of Criminal Procedure, conduct the matter by telephone or video. The requested video or telephonic appearance is a sensible precaution to reduce the possibility of exposure to the COVID-19 virus and is consistent with the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act"), as well as Chief Judge McMahon's Second

Amended Standing Order, *In re Coronavirus/COVID-19 Pandemic*, 20 Misc.176, and all other relevant laws. Based upon my communications with A.U.S.A. Samuel P. Rothschild, the government consents to this request.

As such, we respectfully request a change of plea hearing be conducted on October 29, 2020, and that said hearing be conducted via video teleconferencing or telephone conferencing if video teleconferencing is not available.

Thank you. Should the Court have any questions or concerns, or should any further information be required, please do not hesitate to contact the undersigned.

Respectfully submitted,

/s/ Richard J. Ma

Richard J. Ma, Esq.
Counsel to Reynaldo Cuevas

cc via e-mail: A.U.S.A. Samuel P. Rothschild
Reynaldo Cuevas

GRANTED. The conference, scheduled for October 29, 2020 at 2:30 p.m., will take place via Skype. The Court will provide the parties with a link the day prior to the conference. The Clerk of Court is requested to terminate the motion at Dkt. No. 112.

10/22/2020

SO ORDERED.



PAUL A. ENGELMAYER

United States District Judge